

117TH CONGRESS  
2D SESSION

# S. 4091

To amend part A of title XI of the Social Security Act to provide grants to States, units of local government, and Indian Tribes to establish, expand, or maintain Drug Overdose Fatality Review Teams.

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IN THE SENATE OF THE UNITED STATES

APRIL 27, 2022

Mr. WHITEHOUSE (for himself and Mr. CORNYN) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend part A of title XI of the Social Security Act to provide grants to States, units of local government, and Indian Tribes to establish, expand, or maintain Drug Overdose Fatality Review Teams.

1       *Be it enacted by the Senate and House of Representa-*

2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Overdose Review Team

5       Act”.

1   **SEC. 2. FUNDING TO ESTABLISH DRUG OVERDOSE FATAL-**

2                   **ITY REVIEW TEAMS.**

3         Part A of title XI of the Social Security Act (42  
4   U.S.C. 1301 et seq.) is amended by adding at the end  
5   the following:

6                   **“SEC. 1150D. GRANTS TO ESTABLISH DRUG OVERDOSE FA-**

7                   **TALITY REVIEW TEAMS.**

8         “(a) GRANTS.—The Secretary shall, using amounts  
9   appropriated under this section, award grants to States,  
10   units of local government, and Indian Tribes to establish,  
11   expand, or maintain a Drug Overdose Fatality Review  
12   Team, which shall—

13                 “(1) promote cooperation and coordination  
14   among agencies involved in the investigation of fatal  
15   and non-fatal drug overdoses;

16                 “(2) develop an understanding of the causes  
17   and incidences of drug overdoses in the jurisdiction  
18   where the team operates;

19                 “(3) track the total number of drug overdose  
20   deaths and identify trends and patterns in fatal and  
21   non-fatal drug overdoses in the jurisdiction where  
22   the team operates;

23                 “(4) plan for and recommend changes within  
24   the agencies to prevent drug overdose fatalities;

25                 “(5) recommend best practices for preventing  
26   drug overdoses and drug overdose deaths; and

1                 “(6) advise policymakers in the team’s jurisdiction  
2                 about potential changes to law, policy, funding,  
3                 or practices to prevent drug overdoses.

4                 “(b) GRANT RECIPIENTS.—The Secretary shall not  
5                 award grant funds under this section to a recipient unless  
6                 the recipient provides to the Secretary a list of individuals  
7                 on the drug overdose fatality review team, which shall in-  
8                 clude—

9                 “(1) not less than 1 representative each from—

10                 “(A) the State, local, or Tribal department  
11                 of health, or similar department;

12                 “(B) the State, local, or Tribal govern-  
13                 mental entity responsible for alcohol, drug, or  
14                 other substance addiction treatment and serv-  
15                 ices;

16                 “(C) the State, local, or Tribal department  
17                 of social services, or similar department;

18                 “(D) the State, local or Tribal attorney’s  
19                 office;

20                 “(E) law enforcement agencies of the juris-  
21                 diction, which may include representatives of  
22                 law enforcement agencies operating in a high  
23                 intensity drug trafficking area designated pur-  
24                 suant to section 707(b) of the Office of Na-

1           tional Drug Control Policy Reauthorization Act  
2           of 1998 (21 U.S.C. 1706(b));

3                 “(F) the State, local, or Tribal department  
4                 of corrections, or similar department; and

5                 “(G) the State, local or Tribal medical ex-  
6                 aminer or coroner;

7                 “(2) a health care provider who specializes in  
8                 the diagnosis and treatment of substance use and  
9                 misuse and substance use disorders;

10                 “(3) a health care provider who specializes in  
11                 treating co-occurring mental health and substance  
12                 use disorders;

13                 “(4) a representative from emergency medical  
14                 services;

15                 “(5) a patient advocate who has lived experi-  
16                 ence with substance use and misuse or who has a  
17                 family member with a history of substance use and  
18                 misuse;

19                 “(6) an emergency department physician;

20                 “(7) a toxicologist; and

21                 “(8) a community-based substance use preven-  
22                 tion coalition leader or other community-based sub-  
23                 stance use prevention professional.

24                 “(c) APPROPRIATION.—In addition to amounts other-  
25                 wise available, there is appropriated to the Secretary for

1 fiscal year 2023, out of any money in the Treasury not  
2 otherwise appropriated, \$50,000,000, to remain available  
3 until 2027, to carry out this section.

4       “(d) DEFINITIONS.—In this section:

5           “(1) INDIAN TRIBE.—The term ‘Indian Tribe’  
6       has the meaning given that term in section 4(e) of  
7       the Indian Self-Determination and Education Assist-  
8       ance Act (25 U.S.C. 5304(e)).

9           “(2) STATE.—The term ‘State’ has the mean-  
10       ing given that term in section 1101(a)(1) for pur-  
11       poses of this title and includes the Commonwealth of  
12       the Northern Mariana Islands, and American  
13       Samoa.”.

